

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-18350 - APPLICANT/OWNER: ARIZONA INVESTORS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on February 16, 2009 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-5723) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-5723) that allowed a Tavern at 7045 North Durango Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/20/64	The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
12/07/98	The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
01/17/01	The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
12/19/02	The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff recommended approval of the subject request.
12/04/03	The Planning Commission approved a request for a Site Development Plan Review (SDR-3267) for a proposed hospital on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way. Staff recommended approval of the request.
04/07/04	The City Council approved a Site Development Plan Review (SDR-3764) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales, (SUP-3767) for gaming (incidental), and (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern and (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales, (SUP-3776) for a car wash, (SUP-3777) for gaming (incidental) and (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern and (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales, (SUP-3785) for gaming (incidental) and (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval on 03/11/04.

05/13/04	The Planning Commission approved a Tentative Map (TMP-4150) for a one-lot commercial subdivision. Staff recommended approval of the request.
02/16/05	The City Council approved a Site Development Plan Review (SDR-5731) for a 380,000 square-foot commercial development; a Request for a Special Use Permit (SUP-5718) for a drive through on Pad P of the Montecito Marketplace Development; a Special Use Permit (SUP-5723) for a Liquor Establishment (Tavern); and a Special Use Permit (SUP-5722) for gaming in conjunction with a Tavern on Pad GG of the Montecito Marketplace Development adjacent to the northwest corner of Durango Drive and Dorrell Lane. The Planning Commission and staff recommended approval of all items on 01/13/05.
<i>Related Building Permits/Business Licenses</i>	
11/07/06	Civil improvement plans (CIVIL-15412) were finalized on the indicated date.
12/06/06	A building permit (C-0056-06) was issued on the indicated date.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.04

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
North	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
East	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
West	Single Family Dwellings	M-TC (Medium Residential – Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Trails	X		Y
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

ANALYSIS

This is the first Extension of Time for the subject Special Use Permit (SUP-5723) which was approved by the City Council on 02/16/05. A Special Use Permit is exercised upon approval of a business license to conduct the activity, if one is required, or, otherwise, upon the issuance of a certificate of occupancy or approval of the final inspection. Civil improvement plans were finalized on 11/07/06 and building permits were issued on 12/06/06. The Extension of Time can be supported to allow the applicant sufficient time to construct the tavern.

FINDINGS

Staff supports the subject Extension of Time for the approved Special Use Permit. The applicant has demonstrated that they are working towards the construction of the tavern. A condition of approval has been added, which recommends the extension be allowed for two years until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0